

BEFORE THE
ILLINOIS COMMERCE COMMISSION

IN THE MATTER OF:)
)
COMMONWEALTH EDISON COMPANY,)
) No. 01-0514
Application for a certificate)
of public convenience and)
necessity, pursuant to Section)
8-406 of the Illinois Public)
Utilities Act to construct,)
operate and maintain a new)
138,000 volt electric)
transmission line in Cook)
County, Illinois.)

Chicago, Illinois
December 11th, 2001

Met pursuant to notice at 11:00 a.m.

BEFORE:

MS. DEBORAH KING, Administrative Law Judge

APPEARANCES:

FOLEY and LARDNER
MR. CHRISTOPHER ZIBART
70 West Madison, Suite 4100
Chicago, Illinois 60602
Appearing for Commonwealth Edison;

1 APPEARANCES (Continued)

2 MR. STEVEN G. REVETHIS
3 160 North LaSalle Street, Suite C-800
4 Chicago, Illinois 60601
5 Appearing for staff.

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18 SULLIVAN REPORTING COMPANY, by
19 Barbara A. Perkovich, CSR

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I N D E X

			Re-	Re-	By	
<u>Witnesses:</u>	<u>Direct</u>	<u>Cross</u>	<u>direct</u>	<u>cross</u>	<u>Judge</u>	Mr.
Luedtke	13					
Mr. Eglaston	16					
Mr. Jones		19				
Mr. Rockrohr	22					
Mr. Hardas	25					

E X H I B I T S

<u>Number</u>	<u>For Identification</u>	<u>In Evidence</u>
Com Ed No. 1	11	15
Com Ed No. 2	11	19
Com Ed No. 3	11	21
Com Ed No. 4	11	15
Com Ed No. A	11	19
Com Ed No. B	11	21

1 (Whereupon Com Ed Exhibits
2 Nos. 1, 2, 3, 4, A and B were
3 marked for identification
4 as of this date.)

5 (Whereupon Staff Exhibits
6 Nos. 1.0 and 2.0 were
7 marked for identification
8 as of this date.)

9 JUDGE KING: Pursuant to the authority of the
10 Illinois Commerce Commission, I now call Docket
11 No. 01-0514. This is the application of
12 Commonwealth Edison Company for a certificate of
13 public convenience and necessity.

14 May I have the appearances for the record.

15 MR. ZIBART: For the petitioner, Christopher
16 Zibart, Foley and Lardner, Chicago, Illinois.

17 MR. REVETHIS: Steven G. Revethis, staff
18 counsel, appearing on behalf of the staff of the
19 Illinois Commerce Commission, your Honor.

20 JUDGE KING: We are here today for an
21 evidentiary hearing in this matter. We have five
22 witnesses who will be testifying on behalf of either

1 staff or the company. If those witnesses could
2 raise their right hands.

3 (Witnesses sworn).

4 JUDGE KING: We can proceed with the company's
5 case.

6 MR. ZIBART: The company's first witness would
7 be Mr. Luedtke.

8 FRANK LUEDTKE,
9 called as a witness herein, having been first duly
10 sworn, was examined and testified as follows:

11 DIRECT EXAMINATION

12 BY

13 MR. ZIBART:

14 Q. Sir, would you please state your name and spell
15 your last name, sir?

16 A. My name is Frank Luedtke, that's L-u-e-d-t-k-e.

17 Q. And are you employed by Com Ed,
18 Mr. Ludtke?

19 A. Yes, I am.

20 Q. What is your title?

21 A. Consulting engineer.

22 Q. Mr. Ludtke, has direct testimony been prepared

1 by you or under your direction and control for
2 submission in this docket?

3 A. Yes, it has.

4 Q. I show you now what's been marked as Com Ed
5 Exhibit 1 for identification. Is that your written
6 direct testimony in this docket?

7 A. Yes, it is.

8 Q. Mr. Ludtke, I'm showing you what's been marked
9 as Com Ed Exhibit No. 4. Is that your written
10 rebuttal testimony in this docket?

11 A. Yes, it is.

12 Q. Mr. Ludtke, are there any changes that you need
13 to make to either your direct testimony or your
14 rebuttal testimony before they are entered into
15 evidence?

16 A. No, there are not.

17 Q. And if I were to ask you the questions set
18 forth in Com Ed Exhibit 1 and Com Ed Exhibit 4,
19 would you give the same answers today?

20 A. Yes, I would.

21 MR. ZIBART: I have no further questions for Mr.
22 Ludtke. Com Ed moves the admission of Com Ed

1 Exhibit 1 and Com Ed Exhibit 4 into evidence.

2 JUDGE KING: Is there any objection to the
3 admission of Com Ed Exhibit 1 and Com Ed Exhibit 4?

4 MR. REVETHIS: There is no objection from the
5 staff.

6 JUDGE KING: Let the record reflect that Com Ed
7 Exhibit 1 with the accompanying attachments as well
8 as Com Ed Exhibit 4 are hereby admitted into the
9 record.

10 (Whereupon Com Ed
11 Exhibits Nos. 1 and 4 were
12 admitted into evidence.)

13 JUDGE KING: Is there any cross examination?

14 MR. REVETHIS: The staff has no cross
15 examination of this witness.

16 JUDGE KING: Thank you, Mr. Ludtke.

17 (Witness excused.)

18 MR. ZIBART: The company's next witness is
19 Mr. Eglaston.

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1 JOHN EGLASTON,
2 called as a witness herein, having been first duly
3 sworn, was examined and testified as follows:

4 DIRECT EXAMINATION

5 BY

6 MR. ZIBART:

7 Q. Sir, would you state your name and spell your
8 last name, sir?

9 A. My name is John Eglaston, E-g-l-a-s-t-o-n.

10 Q. And are you employed by Com Ed, sir?

11 A. Yes.

12 Q. And what is your title?

13 A. Project manager.

14 Q. Has testimony been prepared by you or under
15 your director control for submission in this docket?

16 A. Yes.

17 Q. I show you now what's been marked for
18 identification as Com Ed Exhibit 2. Is that your
19 written direct testimony in this docket?

20 A. Yes.

21 Q. And are there attachments to your testimony?

22 A. Yes.

1 Q. And the correct version, true and correct
2 versions of those are reproduced with the copy you
3 have there?

4 A. Yes.

5 Q. Are there any changes you need to make to this
6 written version of your testimony before it is
7 entered into evidence?

8 A. Yes.

9 Q. And what change is that?

10 A. My title was transmission engineer, it has been
11 changed to project manager.

12 Q. And as project manager, what are your
13 responsibilities, if any, with respect to this
14 project?

15 A. Responsibilities for this project for the
16 scope, schedule, budget, and construction of these
17 transmission lines.

18 Q. Other than your title change that you've
19 identified, if I were to ask you the questions set
20 forth in Com Ed Exhibit 2, would you give the same
21 answers today?

22 A. Yes.

1 Q. I show you what's been marked for
2 identification as Exhibit A, is that in fact a
3 correct copy of the Exhibit A which was attached to
4 Com Ed's petition in this docket and to which you
5 refer in your testimony?

6 A. Yes.

7 MR. ZIBART: I have no further questions for Mr.
8 Eglaston at this time, and Com Ed moves the
9 admission of Com Ed Exhibit 2 as he has modified it
10 on the record, including the two attachments
11 thereto, and we also move the admission of Com Ed
12 Exhibit A.

13 JUDGE KING: Is there any objection to the
14 admission of these documents into the evidence?

15 MR. REVETHIS: Staff has no objection, your
16 Honor.

17 JUDGE KING: Let the record reflect that Com Ed
18 Exhibit 2 with accompanying attachments as well as
19 Com Ed Exhibit A, which is attached to Com Ed's
20 application are hereby admitted into the record as
21 so modified to reflect the change in title for
22 Mr. Eglaston.

1 (Whereupon Com Ed
2 Exhibits Nos. 2 and A were
3 admitted into evidence.)

4 JUDGE KING: Is there any cross examination?

5 MR. REVETHIS: No, the staff has resolved any
6 questions that they may have had regarding this
7 filing during the discovery process, your Honor,
8 thank you.

9 JUDGE KING: Thank you, Mr. Eglaston.

10 (Witness excused.)

11 ROBERT M. JONES,
12 called as a witness herein, having been first duly
13 sworn, was examined and testified as follows:

14 DIRECT EXAMINATION

15 BY

16 MR. ZIBART:

17 Q. Would you state and spell your last name, sir?

18 A. Robert M. Jones, Senior, J-o-n-e-s.

19 Q. And Mr. Jones, are you employed by Com Ed?

20 A. Yes, I am.

21 Q. What is your title?

22 A. Manager of land acquisition, permits and

1 railroads.

2 Q. And Mr. Jones has testimony been prepared by
3 you or under your direction and control for
4 submission in this docket?

5 A. It has.

6 Q. I show you what has been previously marked for
7 identification as Com Ed Exhibit 3. Is that your
8 written direct testimony in this docket?

9 A. Yes, it is.

10 Q. Are there any changes that you need to make in
11 your testimony before it is entered into evidence?

12 A. No, there is not.

13 Q. So i I were to ask you the questions set forth
14 in Com Ed Exhibit 3, would you give the same answers
15 set forth today?

16 A. Yes, I would.

17 Q. And Mr. Jones, I show you what's been marked
18 for identification as Exhibit B. Is that a true and
19 correct copy of Exhibit B to Com Ed's petition in
20 this docket and to which you refer in your
21 testimony?

22 A. Yes, it is.

1 MR. ZIBART: I have no further questions for Mr.
2 Jones. Com Ed moves the admission of Com Ed Exhibit
3 3, and Exhibit B into evidence.

4 JUDGE KING: Is there any objection to the
5 admission of these documents into the record?

6 MR. REVETHIS: Staff has no objection.

7 JUDGE KING: Let the record reflect that Com Ed
8 Exhibit 3 as well as Com Ed Exhibit B, which is
9 attached to the application are hereby admitted into
10 the record.

11 (Whereupon Com Ed
12 Exhibits No. 3 and B were
13 admitted into evidence.)

14 JUDGE KING: And is there any cross examination?

15 MR. REVETHIS: No, staff has no cross
16 examination of this witness.

17 JUDGE KING: All right, thank you, Mr. Jones.

18 (Witness excused.)

19 MR. ZIBART: The company has no more witnesses
20 and rests at this time.

21 JUDGE KING: We will proceed with staff.

22 MR. REVETHIS: Thank you, your Honor. At this

1 time the staff would call Mr. Greg Rockrohr to the
2 stand.

3 GREG ROCKROHR,
4 called as a witness herein, having been first duly
5 sworn, was examined and testified as follows:

6 DIRECT EXAMINATION

7 BY

8 MR. REVETHIS:

9 Q. Sir, would you kindly state your name, title
10 and business address for the record if you would,
11 please?

12 A. My name is Greg Rockrohr, I'm a senior energy
13 engineer with the Illinois Commerce Commission and
14 my business address is 527 East Capital Avenue,
15 Springfield, Illinois.

16 Q. Sir, do you have before you a docket which has
17 been previously marked for purposes of
18 identification as ICC Staff Exhibit No. 1.0 which is
19 entitled the Direct Testimony of Greg Rockrohr,
20 dated November 27th, 2001 consisting of 10 pages of
21 narrative testimony, sir?

22 A. Yes, I do.

1 Q. And I ask you whether this testimony was in
2 fact drafted by you or under your direction or
3 control, sir?

4 A. Yes, it was.

5 Q. Are there any additions, modifications or
6 corrections that you wish to make to your narrative
7 testimony at this time?

8 A. No, there is not.

9 Q. If I were to ask you exactly the same questions
10 as set forth therein here and now would you in fact
11 give exactly the same responses here today?

12 A. Yes, I would.

13 Q. Is it your intent that this be your sworn
14 direct testimony in this proceeding, sir?

15 A. Yes, it is.

16 MR. REVETHIS: Your Honor, at this time I ask
17 Illinois Commerce Commission Staff Exhibit 1.0
18 entitled the Direct Testimony of Greg Rockrohr dated
19 November 27th, 2001 consisting of 10 pages of
20 narrative testimony be in fact admitted into the
21 record as evidence at this time, and we also offer
22 the witness for cross examination at this time also.

1 JUDGE KING: Is there any objection to the
2 admission of this this document into evidence?

3 MR. ZIBART: No, your Honor.

4 JUDGE KING: Let the record reflect that Staff
5 Exhibit No. 1.0 is hereby admitted into the record.

6 (Whereupon Staff
7 Exhibit No. 1.0 was
8 admitted into evidence.)

9 JUDGE KING: Is there any cross examination?

10 MR. ZIBART: No.

11 JUDGE KING: Thank you, Mr. Rockrohr.

12 (Witness excused.)

13 MR. REVETHIS: We at this time call staff
14 witness Phil A. Hardas to the stand, your Honor.

15 PHIL A. HARDAS,
16 called as a witness herein, having been first duly
17 sworn, was examined and testified as follows:

18 DIRECT EXAMINATION

19 BY

20 MR. REVETHIS:

21 Q. Sir, would you kindly state your name, title
22 and business address for the record if you would,

1 please?

2 A. My name is Phil Hardas and I'm a financial
3 analyst for the finance analysis division of the
4 Illinois Commerce Commission. And my business
5 address is 527 East Capital Springfield, Illinois,
6 62701.

7 Q. Sir, do you have before you a docket which has
8 been previously marked for purposes of
9 identification as ICC Staff Exhibit 2.0 which is
10 entitled the Direct Testimony of Phil A. Hardas
11 dated November 2001 consisting of four pages of
12 narrative testimony, along with accompanying
13 Schedule 2.1?

14 A. Yes, I do.

15 Q. If I were to ask you whether this testimony was
16 in fact drafted by you or under your direction or
17 control, sir?

18 A. Yes, it was.

19 Q. Are there any additions or modifications or
20 corrections you wish to make to your testimony at
21 this time?

22 A. No, there isn't.

1 Q. Now, sir, if I were to ask you exactly the same
2 questions as set forth therein, would you give
3 exactly the same responses here and now today?

4 A. I would.

5 Q. Now, sir, is it your intent that this be your
6 sworn direct testimony in this proceeding?

7 A. Yes, it is.

8 MR. REVETHIS: We at this time, your Honor, ask
9 that ICC Staff Exhibit 2.0 entitled the Direct
10 Testimony of Phil A. Hardas dated November 2001
11 consisting of four pages of narrative testimony
12 along with accompanying Schedule 2.1 be admitted
13 into the record as evidence in this proceeding, and
14 we also offer the witness for cross examination at
15 this time.

16 JUDGE KING: Is there any objection to the
17 admission of Staff Exhibit 2.0?

18 MR. ZIBART: No objection.

19 JUDGE KING: Let the record reflect that Staff
20 Exhibit 2.0 with its accompanying Schedule 2.1 be
21 admitted into the record.

22

1 (Whereupon Staff

2 Exhibit No. 2.0 was

3 admitted into evidence.)

4 JUDGE KING: Is there any cross examination?

5 MR. ZIBART: No cross examination.

6 JUDGE KING: Thank you, Mr. Hardas.

7 (Witness excused.)

8 JUDGE KING: If that concludes the testimony of
9 the parties, I am going to bring this matter to a
10 close here today. Let the record reflect that there
11 is a draft order which has been circulated which we
12 will tender to the Commission for the next possible
13 bench session. And thank you everyone for their
14 participation in this proceeding here today, let the
15 record be marked heard and taken.

HEARD AND TAKEN